

Counsel Listed on Signature Page

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ARTIFEX SOFTWARE INC., a California
corporation,

Plaintiff,

v.

DIEBOLD INC., an Ohio corporation,
PREMIER ELECTION SOLUTIONS, INC.,
a Delaware corporation,

Defendants.

Case No. C 08-04837 SC EMC

**NOTICE OF SETTLEMENT AND
JOINT REQUEST TO POSTPONE
CASE MANAGEMENT
CONFERENCE; ~~PROPOSED~~ ORDER**

STIPULATION

WHEREAS, on October 22, 2008, Artifex Software, Inc. ("Plaintiff") filed a complaint against Diebold Inc. and Premier Election Solutions, Inc. ("Defendants") and alleged violations of United States Copyright Law;

WHEREAS, the Case Management Conference in this Action is currently scheduled for April 3, 2009;

WHEREAS, Plaintiff and Defendants have agreed in principle to settle this Action and are finalizing the language of a settlement agreement that fully and finally resolves all claims, disputes, and differences in this Action;

WHEREAS, the parties estimate that they will be able to file a stipulation of dismissal within 30 days; and

WHEREAS, the parties agree that to conserve judicial resources, the Case Management Conference in this Action should not go forward on April 3, 2009.

THE PARTIES HEREBY JOINTLY REQUEST that the Court postpone the Case Management Conference in this Action to a date convenient for the Court, at least 30 days after April 3, 2009.

O'MELVENY & MYERS LLP

By: /s/ Luann L. Simmons
Luann L. Simmons

Darin W. Snyder (SBN 136003)
Luann L. Simmons (SBN 203526)
David S. Almeling (SBN 235449)
O'MELVENY & MYERS LLP
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111-3823
Telephone: 415-984-8700
Facsimile: 415-984-8701
dsnyder@omm.com
lsimmons@omm.com
dalmeling@omm.com

Attorneys for Plaintiff
ARTIFEX SOFTWARE, INC.

JONES DAY

By: /s/ Gregory L. Lippetz
Gregory L. Lippetz

Tharan Gregory Lanier (SBN 138784)
Gregory L. Lippetz (SBN 154228)
Jane L. Froyd (SBN 220776)
JONES DAY
Silicon Valley Office
1755 Embarcadero Road
Palo Alto, CA 94303
Telephone: 650-739-3939
Facsimile: 650-739-3900
tglanier@jonesday.com
glippetz@jonesday.com
jfroyd@jonesday.com

Attorneys for Defendants
DIEBOLD, INC. and PREMIER
ELECTION SOLUTIONS, INC.

1 Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest
2 under penalty of perjury that concurrence in the filing of the document has been obtained from
3 Gregory L. Lippetz.

4 Dated: March 27, 2009

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7 By /s/Luann L. Simmons
Luann L. Simmons

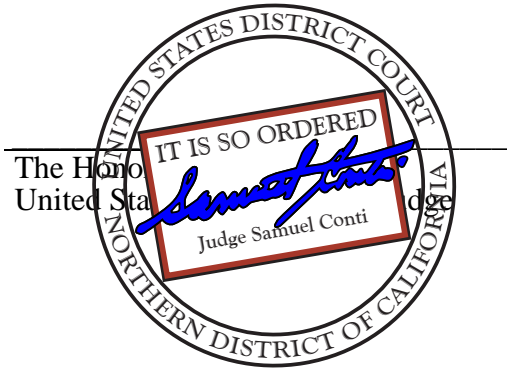
8 Attorneys for Defendants
9 Attorneys for Plaintiff
10 ARTIFEX SOFTWARE, INC.
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[PROPOSED] ORDER

Pursuant to the parties' joint request, the Case Management Conference is hereby postponed until May 29, 2009.

IT IS SO ORDERED

Dated: March 30, 2009



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